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ABSTRACT

This is an intensive course in taking dictation and transcribing materials related to the legal profession with a high degree of speed and accuracy. The course includes spelling, pronouncing, and defining the most-used legal terms, and a discussion of the ethics of the legal secretary and procedures unique to an attorney's office. Included are the performance objectives, course content, suggested learning activities and procedures, resource materials for students and teachers, and an appendix of suggested test items. (Author/BP)

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AUTHORIZED COURSE OF INSTRUCTION FOR THE QUINMESTER PROGRAM

DADE COUNTY PUBLIC SCHOOLS

LEGAL DICTATION AND TRANSCRIPTION

Business Education--7707.42 (New: 7753.42)

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DIVISION OF INSTRUCTION • 1971

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LEGAL DICTATION AND TRANSCRIPTION

7707.42 (New: 7753.42)

Business Education

Written by Judy Dominick
And Approved by the Business Education Steering Committee
For Quinmester Courses

for the

DIVISION OF INSTRUCTION
Dade County Public Schools
Miami, FL 33132
1973

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I. COURSE TITLE--LEGAL DICTATION AND TRANSCRIPTION

II. COURSE NUMBER--7707.42 (New: 7753.42)

III. COURSE DESCRIPTION

A. Synopsis
Intensive practice in taking dictation and transcribing materials related to the legal profession with a high degree of speed and accuracy. The course includes spelling, pronouncing, and defining the most-used legal terms, and a discussion of the ethics of the legal secretary and procedures unique to an attorney's office.

B. Textbook
One or more of the state adopted textbooks and/or one or more of the department's choosing.

C. Occupational Relationships
Legal stenographers
Legal secretaries
Law clerk

IV. COURSE ENROLLMENT GUIDELINES

A. Prior Experiences Needed
The student should have attained the objectives of Advanced Dictation and Transcription prior to enrollment in this course.

B. Related learning
A legal secretary needs more skills than are developed in Legal Dictation and Transcription. Other quinmester courses that are recommended include:

The Law and the Establishment 7715.01 (New: 7602.01)
The "Ins and Outs" of Everyday Contracts 7715.11 (New: 7602.11)
Legal Responsibility 7715.22 (New: 7602.22)
The Office in Action 7716.11 (New: 7644.11)
Legal Typewriting 7705.35 (New: 7766.35)

C. Pretest
This test should be used to determine whether the student has attained the objectives of this course and/or the objectives of the preceding course. It should also help the teacher determine individual placement within the class.

V. COURSE OF STUDY PERFORMANCE OBJECTIVES

Upon successful completion of this course, students will be able to--

1. take dictation on new legal material at a minimum rate of 90 wam for 5 minutes and transcribe their notes on the typewriter with 95 percent accuracy;

V. COURSE OF STUDY PERFORMANCE OBJECTIVES, Continued

2. take dictation on practiced legal material at a minimum rate of 100 wam for 5 minutes and transcribe their notes on the typewriter with 95 percent accuracy;

3. write a definition for each of 25 given legal terms using the dictionary and appropriate reference materials;

4. take office-style legal dictation and transcribe their notes on the typewriter with 95 percent accuracy;

5. produce mailable letters using correct spelling, punctuation, grammar, capitalization, sentence structure, letter placement, and paragraphing;

6. spell, pronounce, and define the most commonly used legal terms with 90 percent accuracy;

7. write from dictation and transcribe at least 50 commonly used legal terms with 90 percent accuracy;

8. prepare at least three legal forms from dictated information with 100 percent accuracy;

9. list and briefly explain at least 8 secretarial procedures that are unique to an attorney's office; and

10. demonstrate personal qualities, traits, and attitudes of a legal secretary through good habits and self-evaluations.

VI. COURSE CONTENT

A. Equipment and Supplies
   1. Basic needs
      a. Typing desk for each student
      b. Typewriters
      c. Chair suitable for typing posture
      d. Bond paper, steno pads
      e. Legal forms and legal backing sheets
      f. Carbon paper and index cards
      g. Correction tape, correction fluid, pencil and ink eraser
      h. Stopwatch
      i. Interval timer (with bell)
      j. Pens
      k. Onion skin or second sheet paper
      l. English dictionaries or word books, standard law dictionaries
      m. Audiotraining tapes
      n. Tape recorder
      o. Letterheads
      p. Envelopes--2 or more sizes
   2. Supplementary needs
      a. Reference handbooks for legal secretaries
      b. Pens for acetates

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c. Overhead projector and screen
d. Dictation records for extra practice
e. Transparencies and filmstrips
f. Notebook in which notes and legal form samples are kept
g. Professional business magazines
h. Legal procedures pamphlets
i. Local legal newspaper
j. Video playback units and monitors on tables (or monitors with remote centers)
k. Filmstrip projector
l. Record player
m. Opaque projector

B. Typing and Transcription Fundamental Skills (brief review)
1. Typing on legal cap
a. Setting margins
b. Numbering pages
c. Typing the caption box
d. Preparing signature lines
e. Drawing the "Z" ruling
f. Typing the endorsement
g. Filling in blanks on legal forms
(1) Use of the ratchet release
(2) Use of the variable line-spacer
h. Typing straight legal copy
i. Handling the backing sheet
j. Underscoring
k. Indenting for paragraphs
2. Transcription (brief review)
a. Continuation sheets
b. Postscripts and notations
c. Interoffice memoranda
d. Enclosures
e. Letter placement by judgment
f. Transcription of dates, figures (including sums of money, addresses)
g. Multiple carbon copies
h. Word substitution
i. Grammar review
j. Proofreading activities
k. Underscore
l. Erasures
m. Proper handling of stenographer's supplies
n. Proper arrangement of work area

C. Shorthand Fundamental Skills
1. Writing and transcribing
2. Building sustained writing and transcription power
3. Increasing reading rates

VI. COURSE CONTENT, Continued

D. Speed Building
   1. Sources of legal dictation
      a. Teacher
      b. Tapes
      c. Guest dictators
      d. Other
   2. Materials for dictation
      a. Practiced
      b. New
         (1) Printed
         (2) Extemporaneous

E. Legal Vocabulary Development
   1. List of legal terms
   2. Reference books
      a. Unabridged dictionaries
      b. Standard law dictionary
   3. Legal terminology activities
      a. Spelling matches
      b. Question-answer exchanges
      c. Error detection drills
      d. Terminology use drills
      e. Pronunciation activities

F. Preparation of Legal Instruments and Documents
   1. Basic information about legal instruments with samples
   2. Specific instruments
      a. Wills
      b. Affidavits
      c. Powers of attorney

G. Courts and Litigation
   1. Courts and their functions
   2. Basic information about litigation papers
   3. Specific court papers and their preparation
      a. Summons and complaint
      b. The answer
      c. Notice of appearance
      d. Stipulations
      e. Demurrers
      f. Demand for bill of particulars, interrogatories
      g. Motion to make pleading more definite
      h. Notices
      i. Motion and notice of motion
      j. Affidavit for use in court
      k. Findings of fact and conclusions of law
      l. Instruments to the jury
      m. Judgments and decrees
   4. How to keep a progress record of court matters
   5. Appealing a case
      a. Records
      b. Briefs
      c. Citations

VI. COURSE CONTENT, Continued

H. Assisting in Specialized Practice (brief coverage)
1. Corporation organization
2. Duties of a corporate secretary
3. Real estate practice
   a. Deeds
   b. Mortgages
   c. Leases
   d. Contracts
4. Foreclosure actions
5. Probate and estate administration
6. Handling commercial collections

I. Personal Traits and Ethics
1. Loyalty
2. Honesty
3. Courtesy
4. Co-operation
5. Punctuality
6. Concentration
7. Neatness
8. Initiative
9. Responsibility
10. Privileged information

VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES

A. Course Strategy and Method

There is no established "best" method or procedure of teaching legal dictation and transcription. The method to be used will depend on such things as the objectives of the course, the number of students to be taught, the content of the subject matter, availability of resources, etc. The methods that seem best suited for this course are practice dictation and transcription, audio-visual presentations, lecture-discussion techniques, explanations and demonstrations, objective and subjective testing, vocabulary testing, dictation-transcription testing, guest speakers, legal workshops, trips to the courthouse, law library, and law offices.

B. Dictation

Students should be exposed to several methods of dictation styles including the stair-step, spurt, one-minute progressive plan for five minutes of dictation, 3 x 5 plan, reverse plan, inverted pyramid, retention exercises, office-style, and sustained dictation. Explanation of these methods can be found in Advanced Dictation and Transcription.

Dictation should be given on a regular basis so students will maintain the skills previously acquired.

VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES, Continued

C. Business Letters

Business letters dealing with legal matters should be dictated to and transcribed by students on a regular basis to reinforce knowledge of letter styles, special notations, and letter placement. Frequent transcription will also improve production rates. These letters should be transcribed by students in mailable form. The ZIP abbreviations and codes for envelopes should also be reviewed by the students.

D. Legal Forms

Printed forms should be provided for students. Information to be included on the forms should be dictated by the teacher and transcribed correctly on the forms. Students should be able to type the information accurately, using the correct format which pertains to the particular legal form being used. Review of legal typing should be provided so students can reinforce proper techniques before typing actual forms. Once the techniques are reinforced, increased production rates should be emphasized. Students can make a bulletin board display showing the various legal forms. They also can maintain a notebook in which notes and legal forms are kept.

E. Legal Vocabulary

Students should be given drills to develop broad legal vocabularies. Lists of legal terms can be given for practice in using unabridged dictionaries and standard law dictionaries for improving legal vocabularies. Several game-type techniques can be used to encourage students to become familiar with legal terminology. Students can participate in spelling matches, question-answer exchanges, and group completion of new vocabulary lists. Group competition in detecting errors in spelling word lists, competitive activity among students to discover the greatest number of misused law terms in a paragraph, and competition in writing paragraphs to determine who can use the most law terms with correct meanings are activities to stimulate class interest and participation.

Each student should compile a personal dictionary of law terms, definitions, and shorthand outlines.

F. English Mechanics Drills

English grammar and usage drills, punctuation and capitalization drills, and word division drills should be given periodically. Special drills include those in proofreading, vocabulary, similar-word, spelling, and context drills.

G. Employment Preparation

Local attorneys or legal secretaries can be invited (1) to interview members of the class; (2) to discuss unique procedures in a legal office; (3) to tell of training requirements of legal secretaries; and (4) to discuss employment opportunities and pay scales.

VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES, Continued

H. Personal Development
Films could be shown and material dictated on desirable personal traits necessary for success in becoming a legal secretary. Emphasis should be placed on the importance of respecting the confidential nature of their work.

VIII. EVALUATIVE INSTRUMENTS

A. Tests
Suggested items for tests may be found in the sample evaluative instruments in the Appendix. The pretest and posttest should include all of the following types of test items. The interim tests may be limited to one or more of the types depending upon the purpose for testing the students.

TYPE	PURPOSE
Fundamental Skills Test	To determine if students have developed the basic skills necessary for success in legal dictation and transcription.
Speed Tests with Legal Dictation	To determine if students are able to take legal dictation at suggested speeds and transcribe their notes with 95 percent accuracy.
Office Style Dictation Test	To determine if students are able to take office style legal dictation and transcribe their notes on the typewriter with 95 percent accuracy.
Legal Vocabulary Tests	To determine if students can write common legal terms from dictation and transcribe their notes with 90 percent accuracy. The students will be expected to define the terms transcribed.
Mailable Letter Tests	To determine if students can transcribe their dictated notes in mailable form within a given amount of time.
Forms Test	To determine if the students can type legal forms from dictated information in correct style with no errors.
Student and Teacher Transcription Error Analysis Sheet	May be used by the teacher and student to determine strengths and weaknesses in transcription habits.

VIII. EVALUATIVE INSTRUMENTS, Continued

B. Grading

There is no "one" method of grading that is best; however, there should be consistency in grading throughout the course.

The work produced in the legal area is either mailable or not mailable. Production work should be evaluated on the basis of its relationship to the standards included in the objectives.

IX. RESOURCES FOR STUDENTS

A. Books

Grahn, Milton; Curchack, Norma; and Yengel, H. F. Legal Typewriting. New York: Gregg Division of McGraw-Hill Book Company, 1967.

Leslie, Louis A. and Coffin, Kenneth B. Handbook for the Legal Secretary. New York: Gregg Division of McGraw-Hill Book Company, 1968.

Miller, Besse Mae. Legal Secretary's Complete Handbook. New Jersey: Prentice Hall, Inc., 1965.

Pascale, Alfred C. The Secretarial Specialist. Providence, R.I.: Programs for Achievement in Reading, Inc., 1971.

B. Supplementary Books

American Bar Association. The Lawyer's Handbook. St. Paul: West Publishing Company, 1962.

Becker, Esther R. How To Be An Efficient Executive Secretary. New York: Harper & Row, 1962.

Blanchard, C. and Zoubek, Charles. Most-Used Congressional Record Terms, 2nd edition. New York: Gregg Division of McGraw-Hill Book Company, 1962.

Gavin, Ruth and Sabin, William A. Reference Manual for Stenographers and Typists, 4th edition. New York: Gregg Division of McGraw-Hill Book Company, 1970.

Gregg, John R.; Leslie, Louis A.; and Zoubek, Charles E. Gregg Shorthand Dictionary, Diamond Jubilee Series, regular and miniature editions. New York: Gregg Division of McGraw-Hill Book Company, 1972.

Gregg, John R.; Leslie, Louis A.; and Zoubek, Charles E. Most-Used Words and Phrases, Diamond Jubilee Series. New York: Gregg Division of McGraw-Hill Book Company, 1963.

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IX. RESOURCES FOR STUDENTS, Continued

House, Clifford R. and Skurow, Samuel. Typewriting Style Manual, 9th edition. Cincinnati: South-Western Publishing Company, 1968.

Humphrey, Katherine; Lambert, Allie Dale; and Newhouse, Howard. Timed Writings for Typing and Transcribing, Diamond Jubilee Series. New York: Gregg Division of McGraw-Hill Book Company, 1965.

Hutchinson, Lois. Standard Handbook for Secretaries, 8th edition. New York: Gregg Division of McGraw-Hill Book Company, 1969.

Kurtz, Margaret; Adams, Dorothy; and Vezeau, Jeannette. 10,000 Legal Words. New York: Gregg Division of McGraw-Hill Book Company, 1971.

Leslie, Louis A. 20,000 Words, 6th edition. New York: Gregg Division of McGraw-Hill Book Company, 1971.

Mayo, Lucy G. You Can Be an Executive Secretary. New York: MacMillan Company, 1965.

National Association of Legal Secretaries. Handbook for the Legal Secretary. California: National Association of Legal Secretaries, 1960.

National Association of Legal Secretaries. The Legal Secretary's Manual. St. Paul: West Publishing Company, 1965.

Prentice-Hall Editorial Staff. Legal Secretary's Encyclopedic Dictionary. Englewood Cliffs: Prentice Hall, 1962.

Silverthorn, J. E. and Perry, Dvern J. Word Division Manual. Cincinnati: South-Western Publishing Company, 1970.

Sletwold, Evangeline. Sletwolds Manual of Documents and Forms for the Legal Secretary. New Jersey: Prentice Hall, 1965.

Whitcomb, Helen and Whitcomb, John. Strictly for Secretaries, revised edition. New York: Gregg Division of McGraw-Hill Book Company, 1965.

C. Workbooks:

Cleary, Joseph. English Style Skill-Builders. New York: Gregg Division of McGraw-Hill Book Company, 1967.

D. Magazines and/or Periodicals:

Miami Review and Daily Record. A daily legal newspaper.

IX. RESOURCES FOR STUDENTS, Continued

Today's Secretary. New York: Gregg Division of McGraw-Hill Book Company.

E. Audio-Visual Aids

1. Records:

Business Letters and Office Style Dictation Records. 60-310 wam. New York: Dictation Disc Company.

Dictation Record Se . 40-120 wam. Skokie: Stenographic Machines, Inc.

Gregg Speed Dictation Records, Diamond Jubilee Series; Gregg Students' Dictation Practice. Speed Set 6, 100-130 wam. New York: Gregg Division of McGraw-Hill Book Company.

2. Tapes:

Western Tape and Stenographic Division of Stenographic Machines, Inc. have new matter dictation and transcription tapes on legal material. Classroom teachers should prepare others to assist individual students.

3. Transparencies:

Transcription Techniques. New York: Gregg Division, McGraw-Hill Publishing Company.

4. Filmstrips:

Advanced Reading Skill Set. New York: Gregg Division, McGraw-Hill Publishing Company.

X. RESOURCES FOR TEACHERS

A. Books (In addition to those listed in Advanced Dictation and Transcription)

Bowman, Wallace B. and Oliverio, Mary Ellen. Shorthand Dictation Studies. Cincinnati: South-Western Publishing Company, 1964.

Leslie, Louis A. and Zoubek, Charles E. Dictation for Mailable Transcripts. New York: Gregg Division of McGraw-Hill Book Company, 1950.

B. Handbooks

A Guide to Business Education in Florida Schools. Bulletin 2. Tallahassee: State Department of Education, 1967.

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X. RESOURCES FOR TEACHERS, Continued

Parker Editorial Staff. Business Etiquette Handbook. Englewood Cliffs: Prentice-Hall, 1965.

Training Secretaries for the Executive Level. Skokie: Stenographic Machines, Inc., 1965.

C. Magazines and/or Periodicals

Balance Sheet, The. Cincinnati: South-Western Publishing Company. Monthly, October through May.

Business Education Forum. Washington: National Business Education Association. Monthly, October through May.

Business Education World. Hightstown: Gregg Division of McGraw-Hill Book Company. Five publishings each school year.

Journal of Business Education. East Stroudburg: Gregg Division of McGraw-Hill Book Company. Monthly, October through May.

National Business Education Yearbook. Washington: National Business Education Association.

The Business Teacher. New York: Gregg Division of McGraw-Hill Book Company. Monthly, October through May.

Today's Secretary. New York: Gregg Division of McGraw-Hill Book Company. Monthly.

APPENDIX

SUGGESTED TEST ITEMS

A. Speed Test

Dictation

Two 5-minute speed tests will be dictated at either 120 wam and 100 wam or 110 wam and 90 wam. Each 5-minute test consists of new legal material. When the dictation is over, choose one of the takes and transcribe it on the typewriter. You will be allowed 5 minutes to look over your notes before you begin transcribing. To make the best use of this time, insert the correct punctuation and use the dictionary or word book for spelling.

Transcription

Set your margins for a 70-space line; use double spacing and five-space indention. You will be allowed 30 minutes to transcribe the 5-minute take. Be sure to proofread carefully before turning in your paper. When time is called, ALL shorthand notes must be stapled to the back of the transcript and turned in to the teacher.

B. Legal Word Definitions

In the space provided, write the following terms in shorthand and then give a brief definition of the term.

TERMS	SHORTHAND OUTLINE	DEFINITION
1. accruals	_____	_____
2. delinquent	_____	_____
3. duress	_____	_____
4. merger	_____	_____
5. obscene	_____	_____
6. pleadings	_____	_____
7. process	_____	_____
8. quash	_____	_____
9. res	_____	_____
10. sans	_____	_____

C. Mailable Letter Tests

Seven letters will be dictated at varying speeds. All letters contain 100 words in the body of the letter. Inside addresses will be given prior to timed dictation. You are to take all seven letters. After

completion of the dictation, you will be allowed 5 minutes to look over your shorthand notes before transcription begins. To make the best use of this time, insert punctuation and check the dictionary or word book for spelling. You will be given 30 minutes to transcribe as many letters as you can on letterhead paper. All letters will be typed in modified block style with no paragraph indentations. Use mixed punctuation. Be sure to proofread each letter carefully before removing it from the typewriter. When time is called, all your shorthand notes are to be stapled to the back of your transcribed letters and turned in to the teacher.

Letter 1	90 wam	
Letter 2	100 wam	
Letter 3	110 wam	
Letter 4	120 wam	Speeds dictated when the majority
Letter 5	110 wam	of the class can take 100 wam.
Letter 6	100 wam	
Letter 7	90 wam	

Sample grading scale:

5 mailable	A	Mailable means that the letter
4 mailable	B	could be signed by the employer
3 mailable	C	without having to be returned
2 mailable	D	to the secretary for any corrections.
1 mailable	F	

D. Vocabulary Test

1. Circle the letters which should be capitalized in the following terms.

   a. the estate of claire r. chapman

   b. harry jones, a minor

   c. a petition in bankruptcy

   d. mr. stacy milton and wife

   e. the court calendar clerk

2. One of the following legal terms may be misspelled. If misspelled, write the correct spelling of the word in the space provided. If the three terms are spelled correctly, place a check mark in the space provided.

a. plaintiff	interogatories	extension	_____
b. counsel	sufficient	underwriters	_____
c. fictitous	juncture	intents	_____

SUGGESTED TEST ITEMS, Continued

d. venture calender settlement _____

e. incluson requisite defendants _____

3. Choose and underline the correct word:

a. Our (advice, advise) is to agree to the terms for the settlement.

b. (Precede, Proceed) with the defense.

c. He will (advice, advise) you to co-operate in a just and reasonable settlement.

d. You may apply for the legal secretarial opening with our (Personal, Personnel) Director.

e. You expressed a willingness to (except, accept) a dismissal in this action.

E. Forms Test

Transcribe a dictated Last Will and Testament. Double space this document, using legal size paper supplied by the teacher. Indent the paragraphs 10 spaces. The words "Last Will and Testament" are centered on line 15. Type an original and one carbon copy. Use April 20 for the date and spell out this year. Triple space before and after the signature line.

G. Student and Teacher Transcription Error Analysis Sheet
(see the form on the next page)

TRANSCRIPTION ERROR ANALYSIS SHEET

Name_____ Class_____ Period_____

DATE	WW	OM	SP	ENG	CAP	¶	PUNCT	ST	TYP	TOTAL ERRORS

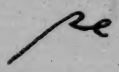
WW-wrong word
OM-omitted word(s)
SP-spelling
ENG- English error (an for a)

¶ -paragraph
PUNCT-punctuation
ST-structure
TYP-typographical error

SUGGESTED TEST ITEMS, Continued

A. Speed Test (Key provided by the teacher)

B. Legal Word Definitions

	TERMS	SHORTHAND OUTLINE	DEFINITION
1.	accruals		to accumulate
2.	delinquent		in a state of failing to do what is required by law
3.	duress		constraint; compulsion
4.	merger		an absorption of one estate or interest in another or of a minor in a greater offense
5.	obscene		offensive; violating some ideal principle
6.	pleadings		the formal assertions setting forth the claims and defenses of the parties to a lawsuit
7.	process		a series of actions, motions, or occurrences
8.	quash		to overthrow; annul; make void
9.	res		the thing; the matter of the suit
10.	sans		without

C. Mailable Letter Test (Key provided by teacher)

D. Vocabulary Test

1. a. the estate of Claire R. Chapman
   b. Harry Jones, a minor
   c. a Petition in Bankruptcy
   d. Mr. Stacy Milton and wife
   e. the Court Calendar Clerk

2. a. Interrogatories
   b. underwriters

SUGGESTED TEST ITEMS, Continued

c. fictitious
d. calendar
e. inclusion

3. a. advice
b. proceed
c. advise
d. Personnel
e. accept

E. Forms Test (Key provided by the teacher)